

**Amendment to the Claims:**

This listing of claims will replace all prior versions, and listings, of the claims in the application.

**Listing of Claims:**

Claims 1-9 (cancelled)

Claim 10 (original): A magnetic tunnel junction comprising:

a substantially circular or oval-shaped first magnetic layer and a substantially circular or oval-shaped second magnetic layer, each magnetic layer defining an outer periphery and a gap void having an open end facing the outer periphery so as to form a gap along the outer periphery, wherein the magnetic layer does not include an annular void that is spatially isolated from the gap void; and

an insulating layer interposed between the first magnetic layer and the second magnetic layer.

Claim 11 (original): The magnetic tunneling junction of claim 10, wherein the gap void comprises a wedge shape.

Claim 12 (original): The magnetic tunneling junction of claim 10, wherein the gap void comprises a slot-shaped section and a circular-shaped or oval-shaped section.

Claim 13 (original): The magnetic tunneling junction of claim 10, wherein the gap void comprises a parabolic shape.

Claim 14 (original): The magnetic tunneling junction of claim 10, wherein the gap void comprises a slot-shaped portion and a circular-shaped or oval-shaped portion.

Claim 15 (original): The magnetic tunneling junction of claim 10, wherein the first magnetic layer and the second magnetic layer define the same outer periphery shape.

Claim 16 (original): The magnetic tunneling junction of claim 15, wherein the insulating layer defines an outer periphery having the same shape as the outer periphery of the first magnetic layer and the second magnetic layer.

Claims 17-18 (cancelled)

Claim 19 (original): A substantially circular-shaped or oval-shaped magnetic element defining an outer periphery and a gap void having an open end facing the outer periphery so as to form a gap along the outer periphery, wherein the magnetic element does not include an annular void that is spatially isolated from the gap void.

Claim 20 (new): A magnetic random access memory device comprising the magnetic tunneling junction of claim 10.

Claim 21 (new): The magnetic tunneling junction of claim 11, wherein the wedge shape defines an angle of about  $1^\circ$  to about  $180^\circ$ .

Claim 22 (new): The magnetic tunneling junction of claim 12, wherein the slot-shaped section defines a gap distance of about 20 mm to about 900 mm.